## REMARKS

Claims 1-27 are pending. The Examiner's reconsideration of the rejections is respectfully requested in view of the remarks.

Claims 1-27 stand rejected under 35 USC 101 as being directed to nonstatutory subject matter. The Examiner suggested essentially that the computer system must set forth a practical application of 101 judicial exception to produce a real-world result.

The rejection supposes that the claims are directed to a judicial exception. Applicants assume that the Examiner is referring to the "abstract idea" judicial exception. The concern over "preemption" of ideas, laws of nature or natural phenomena are only relevant to claiming a scientific truth or principle. The rejection fails to identify claim language directed to a scientific truth or principle. Indeed, the claims include limitations for defining a path of execution of the analytic asset – the claimed inventions create a means for analytic reasoning in systems management. Here, consider an example from the Examination Guidelines for Computer-Related Inventions: "For example, a computer process that simply calculates a mathematical algorithm that models noise is non-statutory. However, a claimed process for digitally filtering noise employing the mathematical algorithm is statutory." Clearly, the claimed limitations are not directed merely toward a model, but instead a method for creating an analytic asset within the practical application or framework of analytic reasoning.

With respect to the Examiner's concerns in view of Ex Parte Bilski, Claims 1 and 8 have been amended to recite a "computer readable medium embodying instructions executable by a processor." Because the amendment will not require and substantial new examination, entry of

the amendment is respectfully requested. The amendment is believed to overcome the rejection by introducing a "processor" tying the claims to a particular machine.

Reconsideration of the rejection is respectfully requested.

Claims 1-27 are rejected under 35 USC 103(a) as being anticipated by Gia (US 2001/0023390) and further in view of Bowman-Amuah (US 2003/0058277) – hereinafter Bowman. The Examiner stated essentially that the combined teachings of Gia and Bowman teach or suggest all of the limitations of Claims 1-27.

Claims 1 and 8 claim, *inter alia*, "the second runtime is queried to evaluate a first navigation path between the first test and the second test and output a weight of the first navigation path adapted to be compared against a weight of at least a second navigation path for selecting one of the first and second navigation path, the selection defining a path of execution of the analytic asset."

Gia teaches navigation functions are performed on terrain navigation space (see Abstract). Gia does not teach or suggest "the second runtime is queried to evaluate a first navigation path between the first test and the second test and output a weight of the first navigation path adapted to be compared against a weight of at least a second navigation path for selecting one of the first and second navigation path, the selection defining a path of execution of the analytic asset" as claimed in Claims 1 and 8. Gia teaches methods for path planning (see paragraphs [0033-0034]). Path planning according to Gia determines a flight path. The flight paths of Gia are not analogous to an execution path, essentially as claimed – a flight path is not associated with a weight. Consider for example, that Gia searches for a next waypoint in a flight path using depth-first, breadth-first and heuristic searches of the Oct-tree (see paragraph [0061])

– none of these techniques involves a weight on the entire flight path. That is, the claimed invention compares two complete navigation paths while Gia only evaluates a next waypoint. Therefore, Gia fails to teach or suggest all of the limitations of Claim 1.

Bowman teaches a method for assigning a view to an activity (see Abstract). Bowman does not teach or suggest "the second runtime is queried to evaluate a first navigation path between the first test and the second test and output a weight of the first navigation path adapted to be compared against a weight of at least a second navigation path for selecting one of the first and second navigation path, the selection defining a path of execution of the analytic asset" as claimed in Claims 1 and 8. Bowman teaches a practitioner selecting components for a framework (see for example, paragraphs [0361] and [0804]). The selection of components of a framework is performed by a user; such a selection is not believed to be analogous to the claimed selection of an execution path based on a comparison of weights on different paths. Bowman's selection is not based on evaluations of weights on paths, essentially as claimed. Further, the components of a framework, which are selected by a user, are not analogous to execution paths. The components are merely means for providing services (see paragraph [0427]). The selection of components for the framework in Bowman in no way defines an execution path, essentially as claimed. Therefore, Bowman fails to cure the deficiencies of Gia.

Further, the rejection does not demonstrate that Gia teaches or suggests the use of "a directed, acyclic graph", essentially as claimed. Indeed, a brief review of FIG. 9 of Gia reveals an Oct-tree graph. The Oct-tree graph includes cycles, e.g., S → 5 → 1 → 2 → 5 → 1 → 2… A directed, acyclic graph does not include cycles. Bowman fails to cure the deficiencies of Gia in this respect.

The combined teachnigs of Gia and Bowman teach path based navigation with user selections. The combined teachnigs of Gia and Bowman do not teach or suggest "the second runtime is queried to evaluate a first navigation path between the first test and the second test and output a weight of the first navigation path adapted to be compared against a weight of at least a second navigation path for selecting one of the first and second navigation path, the selection defining a path of execution of the analytic asset" as claimed in Claims 1 and 8.

Claims 2-7, 13 and 26 depend from Claim 1. Claims 9-12, 14-25 and 27 depend from Claim 8. The dependent claims are believed to be allowable for at least the reasons given for Claims 1 and 8. Reconsideration of the rejection is respectfully requested.

For the forgoing reasons, the application, including Claims 1-27, is believed to be in condition for allowance. Early and favorable reconsideration of the case is respectfully requested.

Respectfully submitted,

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